



3-10-03

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DOCKET NO.: ISIS-4502

PATENT

RESPONSE UNDER 37 CFR 1.129(a)
EXPEDITED PROCEDURE
EXAMINING GROUP 1631

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#78
Plunkett
4/7/03
RECEIVED

In Re Application of:

Richard H. Tullis

Confirmation No.: 9155

Serial No.: 08/078,768

Group Art Unit: 1631

MAR 13 2003

Filing Date: June 16, 1993

Examiner: J. Martinell

TECH CENTER 1600/2900

For: **OLIGONUCLEOTIDE THERAPEUTIC AGENT AND METHODS OF
MAKING SAME**

EXPRESS MAIL LABEL NO: EV 160093356 US
DATE OF DEPOSIT: March 7, 2003

EV160093356US

BOX AF

Assistant Commissioner for Patents
Washington DC 20231

**TRANSITIONAL AFTER FINAL AMENDMENT TRANSMITTAL LETTER
AND REQUEST FOR EXTENSION OF TIME**

Transmitted herewith is the ☒ first or ☐ second Transitional After Final amendment
in the above-identified application responsive to the Office Action dated September 10, 2002.

- ☒ This application has an effective filing date prior to June 8, 1993.
- ☒ Small entity status of this application under 37 CFR 1.9 and 37 CFR 1.27 has been previously established.
- ☐ A verified statement claiming small entity status under 37 CFR 1.9 and 37 CFR 1.27 is enclosed.
- ☐ Statement to Support Filing and Submission of DNA/Amino Acid Sequences in Accordance with 37 CFR §§ 1.821 through 1.825.
- ☒ Other: (specify): Declaration of Dr. Sidney M. Hecht Pursuant to 37 CFR §1.132, with Attached Exhibits 1-7; Notice of Appeal from the Primary Examiner to the Board of Appeals with Attached Exhibit A.

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				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE \$375	RATE	FEE \$750
TOTAL CLAIMS	20	20 (20 MINIMUM)	0	\$9 EACH	\$0	\$18 EACH	\$
INDEP. CLAIMS	5	5 (3 MINIMUM)	0	\$42 EACH	\$0	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$0	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$0	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$0	\$410	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$465.00	\$930	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$0	\$1450	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$0	\$1970	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$0)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$0	\$110	\$
<input checked="" type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS: Notice of Appeal				\$160	160.00	320	
TOTAL FEE DUE					\$1000.00		

- ☒ Request is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of September 10, 2002 to and through March 10, 2003, comprising an extension of the shortened period of three (3) months:

Applicant has not been notified that the requested extension will not be permitted. The present application is not involved in an interference declared pursuant to 37 CFR 1.207.

Total fee required

- ☐ Please charge Deposit Account No. 23-3050 in the amount of \$_____.00. This sheet is attached in duplicate.
- ☐ An extension for _____ has already been secured and the fee paid therefore of \$_____.00 is deducted from the total fee due for the total months of extension now requested.

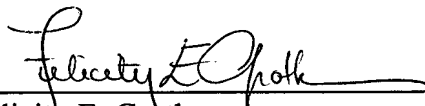
Extension fee due with this request \$_____.00

- ☒ A check in the amount of **\$1000.00** is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050.

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- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any additional filing fees required under 37 CFR 1.17(r) including fees for presentation of extra claims.
- ☒ Any additional patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☒ The Commissioner is hereby authorized to charge payment of the following fees during the pendency of this application or credit any overpayment to Deposit Account No. 23-3050. This sheet is attached in duplicate.
- ☒ Any patent application processing fees under 37 CFR 1.17 and under 37 CFR 1.20(d).
- ☐ The issue fee set in 37 CFR 1.18 at or before mailing of the Notice of Allowance, pursuant to 37 CFR 1.311(b).
- ☒ Any filing fees under 37 CFR 1.17 including fees for presentation of extra claims.

Date: March 7, 2003


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